

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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EDWARDS LIFESCIENCES CORPORATION and EDWARDS LIFESCIENCES  
LLC,  
Petitioners,

v.

COLIBRI HEART VALVE LLC,  
Patent Owner.

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Case IPR2020-01649  
Patent No. 9,125,739 B2

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**PETITIONERS' MOTION FOR ADMISSION  
PRO HAC VICE OF MEGAN E. DELLINGER  
PURSUANT TO 37 C.F.R. § 42.10**

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P.O. Box 1450  
Alexandria, VA 22313-1450

**LIST OF EXHIBITS**

Exhibit	Description
EX1001	U.S. Patent No. 9,125,739 (Paniagua et al.)
EX1002	File History for U.S. Patent No. 9,125,739 (Paniagua et al.)
EX1003	Andersen et al., <i>Transluminal Implantation of Artificial Heart Valves. Description of a New Expandable Aortic Valve and Initial Results with Implantation by Catheter Technique in Closed Chest Pigs</i> , European Heart Journal 13:704-708 (1992)
EX1004	U.S. Patent No. 5,411,552 (Andersen et al.)
EX1005	Bailey, <i>Percutaneous Expandable Prosthetic Valves</i> , Textbook of Interventional Cardiology, Chapter 75 (1994)
EX1006	U.S. Patent No. 5,855,601 (Bessler et al.)
EX1007	U.S. Patent No. 5,332,402 (Teitelbaum)
EX1008	Moazami et al., <i>Transluminal Aortic Valve Placement A Feasibility Study with a Newly Designed Collapsible Aortic Valve</i> , ASAIO J., M381-385 (Sept.-Oct. 1996)
EX1009	U.S. Patent Application Publication No. 2002/0032481 (Gabbay)
EX1010	U.S. Patent No. 6,425,916 (Garrison et al.)
EX1011	U.S. Patent No. 6,652,578 (Bailey et al.)
EX1012	U.S. Patent No. 5,957,949 (Leonhardt et al.)
EX1013	Ebeid et al., <i>Use of Balloon-Expandable Stents for Coarctation of the Aorta: Initial Results and Intermediate-Term Follow-Up</i> , 30 J. Am. C.

Exhibit	Description
	Cardiology 7, 1847-52 (Dec. 1997)
EX1014	<i>Edwards Receives European Approval for Advanced SAPIEN 3 Valve</i> (Jan. 27, 2014)
EX1015	U.S. Patent Application Publication No. 2005/0113910 (Paniagua et al.)
EX1016	Rösch et al., <i>The Birth, Early Years, and Future of Interventional Radiology</i> , J. Vasc. Interv. Radiol., 14:841-853 (2003)
EX1017	U.S. Patent No. 6,908,481 (Cribier)
EX1018	File History for U.S. Patent No. 8,308,797 (Paniagua et al.)
EX1019	U.S. Patent Application Publication No. 2001/0044633 (Klint)
EX1020	Declaration of Steven L. Goldberg, M.D.
EX1021	U.S. Patent No. 8,308,797 (Paniagua et al.)
EX1022	Infringement Chart from <i>Colibri Heart Valve LLC v. Medtronic CoreValve LLC</i> , No. 8:20-cv-847-DOC-JDE, D.I. 30-3 (C.D. Cal. June 12, 2020) (Exhibit A to First Amended Complaint).
EX1023	U.S. Patent No. 6,730,118 (Spenser et al.)
EX1024	Press Release, <i>Edwards Lifesciences Receives CE Mark for Edwards SAPIEN Transcatheter Heart Valve Edwards Lifesciences</i> (Sept. 5, 2007)
EX1025	Colibri's Opposition to Medtronic's Motion to Dismiss First Amended Complaint [DKT. 38], <i>Colibri Heart Valve LLC v. Medtronic CoreValve LLC</i> , No. 8:20-cv-847-DOC-JDE, D.I. 46 (C.D. Cal. Aug. 14, 2020)
EX1026	U.S. Patent No. 8,900,294 (Paniagua et al.)

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Exhibit	Description
EX1027	<i>CoreValve Receives CE Mark Approval for its ReValving™ System and Announces Plans to Initiate Expanded Clinical Evaluation, Business Wire (May 16, 2007)</i>
EX1028	<i>Edwards SAPIEN XT Transcatheter Valve and Delivery Systems Receive CE Mark (Mar. 2, 2010)</i>
EX1029	<i>Edwards Lifesciences Receives FDA Approval for First Catheter-Based Aortic Heart Valve in the U.S. (Nov. 2, 2011)</i>
EX1030	<i>Medtronic CoreValve® System Obtains Early FDA Approval on Exceptional Clinical Performance (Jan. 17, 2014)</i>
EX1031	<i>Bonhoeffer et al., Percutaneous Replacement of Pulmonary Valve in a Right-Ventricle to Pulmonary-Artery Prosthetic Conduit with Valve Dysfunction, Lancet 356:1403-05 (2000)</i>
EX1032	<i>Pavcnik et al., Aortic and Venous Valve for Percutaneous Insertion, Min Invas Ther &amp; Allied Technol 9(3/4) 287-92 (2000)</i>
EX1033	Declaration of Megan E. Dellinger in Support of Petitioners' Motion for Admission Pro Hac Vice of Megan E. Dellinger Pursuant to 37 C.F.R. § 42.10

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## I. RELIEF REQUESTED

Pursuant to 37 C.F.R. §42.10(c), and as authorized in the Patent Trial and Appeal Board's ("Board") Notice of Filing Date Accorded to Petition (Paper 3), Petitioners Edwards Lifesciences Corporation, Edwards Lifesciences LLC, and Edwards Lifesciences AG (collectively, "Petitioners") respectfully request *pro hac vice* admission of Megan E. Dellinger as counsel in this proceeding.

## II. STATEMENT OF FACTS

37 C.F.R. §42.10(c) states:

The Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

The facts, supported by the accompanying Declaration of Megan E. Dellinger in Support of Motion for Admission *Pro Hac Vice* ("Dellinger Decl.", Ex. 1033), establish good cause to admit Ms. Dellinger *pro hac vice* in this proceeding.

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